

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

MICHAEL CANO AND MARINA CANO,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	
	§	CAUSE NO. 7:23-cv-00332
SELENE FINANCE LP AND U.S. BANK	§	
TRUST NATIONAL ASSOCIATION, ET AL,	§	
	§	
Defendants.	§	

**JOINT STATUS REPORT**

Come now Plaintiffs Michael Cano ("Mr. Cano") and Marina Cano ("Ms. Cano") (Mr. Cano and Ms. Cano collectively, "Plaintiffs"), Defendants Selene Finance LP ("Selene") and U.S. Bank Trust National Association, not in its Individual Capacity but Solely as Owner Trustee for RCF 2 Acquisition Trust ("Trustee") (Selene and Trustee collectively, the "Selene Defendants"), ServiceLink Agency Sales and Posting, LLC ("ServiceLink"), and Intervenor Seer Labs, LLC ("Seer" or "Intervenor") (Plaintiffs, the Selene Defendants, ServiceLink and Seer are collectively, the "Parties") and, pursuant to the Court's Order, file this Joint Status Report to apprise the Court as to the status of Plaintiffs obtaining permission from the Bankruptcy Court to employ counsel to represent them in this action.

**Procedural History**

1. This action was removed to this Court on September 28, 2023. The Plaintiffs initiated this lawsuit (the "Lawsuit") on June 6, 2022, in effort to stop a foreclosure sale of real property located in Hidalgo County, Texas (the "Property"). Seer was the third-party purchaser of the Property at a foreclosure sale (the "Foreclosure Sale") on June 7, 2022 (the "Foreclosure Sale Date").

2. Prior to the Foreclosure Sale Date, Mr. Cano and Ms. Cano filed a bankruptcy case under Chapter 13 styled *in re Michael K. Cano and Marina T. Cano*, previously pending in the Southern District of Texas as Case No. 21-70160 (“Bankruptcy Case No. 1”).<sup>1</sup> Bankruptcy Case No. 1 was dismissed on March 3, 2022.

3. After the Foreclosure Sale Date, on or about November 14, 2022, Ms. Cano filed a bankruptcy case under Chapter 13 styled *in re Marina T. Cano*, previously pending in the Southern District of Texas as Case No. 22-70189 (“Bankruptcy Case No. 2”). Bankruptcy Case No. 2 was dismissed on February 29, 2023.

4. On or about August 29, 2023 (the “Petition Date”), Mr. Cano filed a bankruptcy case under Chapter 11, styled *in re: Michael Keith Cano, Debtor*, currently pending in the Southern District of Texas Bankruptcy as Case No. 23-70170 (“Bankruptcy Case No. 3”).

5. After the filing of Bankruptcy Case No. 3, this action was removed pursuant to 28 U.S.C. §§ 1334 and 1452, and Federal Rule of Bankruptcy Procedure 9027.

**Status of Retention of Counsel**

6. On February 2, 2024, the Bankruptcy Court in Bankruptcy Case No. 3 entered an order authorizing the employment of Mr. Rodriguez to represent Mr. Cano in this matter.

Respectfully submitted,

/s/ Francisco J. Rodriguez (with permission)

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**Jared A. Clark**

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<sup>1</sup> Mr. Cano also filed a Chapter 13 bankruptcy case before Bankruptcy Case No. 1 styled *in re Michael Keith Cano*, previously pending in the Southern District of Texas as Case No. 19-70308. This case was dismissed on November 21, 2019.

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*/s/ Jeana Laguna* (with permission)

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was served upon all counsel of record via the Court's CM/ECF system pursuant to the Federal Rules of Civil Procedure on February 21, 2024.

/s/ Brandon Hakari

Counsel for Defendant ServiceLink Agency  
Sales and Posting, LLC